

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

IN RE: HOOSICK FALLS PFOA CASES

Case No. 1:19-mc-00018-LEK-DJS

EDWARD ANDRICK and LAURIE ANDRICK,

Plaintiffs,

Case No. 1:17-cv-1058-LEK-DJS

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., E.I. DUPONT
NEMOURS AND COMPANY and 3M CO.,

Defendants.

DIANE BAMRICK, as an individual and in her
capacity as Executrix of the ESTATE OF EDWARD
BAMRICK, deceased,

Plaintiffs,

Case No. 1:19-cv-0225-LEK-DJS

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., SAINT-GOBAIN CORPORATION,
HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., and 3M COMPANY,
E.I. DUPONT NEMOURS AND COMPANY, and
THE CHEMOURS COMPANY,

Defendants.

BRYAN SCHROM, NICKOLAS SCHROM,
MARGARET SARGOOD, LISA TIFFT, and RUTH
TIFFT,

Plaintiffs,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC., E.I. DUPONT NEMOURS
AND COMPANY and 3M CO.,

Defendants.

Case No. 1:16-cv-1367-LEK-DJS

DONALD BRADLEY,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., E.I. DUPONT
NEMOURS AND COMPANY and 3M CO.,

Defendants.

Case No. 1:19-cv-0240-LEK-DJS

ARNOLD BULLINGER, TRAVIS CONQUEST, and
BRETT FERRARO,

Plaintiffs,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC., E.I. DUPONT NEMOURS
AND COMPANY and 3M CO.,

Defendants.

Case No. 1:16-cv-0954-LEK-DJS

TSUNGANI CLEMONS,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., E.I. DUPONT
NEMOURS AND COMPANY and 3M CO.,

Defendants.

Case No. 1:19-cv-0236-LEK-DJS

ROBERT DECKER,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., E.I. DUPONT
NEMOURS AND COMPANY and 3M CO.,

Defendants.

Case No. 1:20-cv-01141-LEK-DJS

JAMES DONAVAN,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., E.I. DUPONT
NEMOURS AND COMPANY and 3M CO.,

Defendants.

Case No. 1:16-cv-0924-LEK-DJS

MARK DRISCOLL,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., SAINT-GOBAIN CORPORATION,
HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., and 3M COMPANY,
E.I. DUPONT NEMOURS AND COMPANY, and
THE CHEMOURS COMPANY,

Defendants.

Case No. 1:19-cv-0231-LEK-DJS

TIFFANY BACON, ROBERT HOLOVACH, and
TRACY HOLOVACH

Plaintiffs,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC., E.I. DUPONT NEMOURS
AND COMPANY and 3M CO.,

Defendants.

Case No. 1:19-cv-0249-LEK-DJS

BRIDGET FOSTER,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., E.I. DUPONT
NEMOURS AND COMPANY and 3M CO.,

Defendants.

Case No. 1:19-cv-0077-LEK-DJS

ARNOLD BULLINGER, individually and as Executor
of the ESTATE OF EDWARD FROMMER,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC., E.I. DUPONT NEMOURS
AND COMPANY and 3M CO.,

Defendants.

Case No. 1:16-cv-1063-LEK-DJS

LINDA GARDNER,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., E.I. DUPONT
NEMOURS AND COMPANY and 3M CO.,

Defendants.

Case No. 1:19-cv-0246-LEK-DJS

CRYSTAL GATES,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., SAINT-GOBAIN CORPORATION,
HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., and 3M COMPANY,
E.I. DUPONT NEMOURS AND COMPANY, and
THE CHEMOURS COMPANY,

Defendants.

Case No. 1:19-cv-0221-LEK-DJS

MELISSA GORMAN,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., E.I. DUPONT
NEMOURS AND COMPANY and 3M CO.,

Defendants.

Case No. 1:19-cv-0200-LEK-DJS

BRANDON HARRINGTON, individual; S.H., a
minor, by his father and natural guardian Brandon
Harrington; and T.H., a minor, by his father and natural
guardian Brandon Harrington,

Plaintiffs,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORPORATION,

Defendant.

Case No. 1:18-cv-0152-LEK-DJS

SUE HICKEY, INDIVIDUALLY AND AS
EXECUTRIX OF THE ESTATE OF JOHN HICKEY,

Plaintiffs,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., E.I. DUPONT
NEMOURS AND COMPANY and 3M CO.,

Defendants.

Case No. 1:19-cv-0094-LEK-DJS

DOUGLAS and DEBRA HOLMSTEDT,

Plaintiffs,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC., E.I. DUPONT NEMOURS
AND COMPANY and 3M CO.,

Defendants.

Case No. 1:16-cv-0933-LEK-DJS

MARY LUCEY,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., E.I. DUPONT
NEMOURS AND COMPANY and 3M CO.,

Defendants.

Case No. 1:17-cv-1054-LEK-DJS

MARCUS MARTINEZ,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., E.I. DUPONT
NEMOURS AND COMPANY and 3M CO.,

Defendants.

Case No. 1:19-cv-0098-LEK-DJS

DEREK MILLER,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., E.I. DUPONT
NEMOURS AND COMPANY and 3M CO.,

Defendants.

Case No. 1:19-cv-0598-LEK-DJS

JOYCE MORIER, JAMES MORIER and KIMBERLY
MOORE,

Plaintiffs,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., E.I. DUPONT
NEMOURS AND COMPANY and 3M CO.,

Defendants.

Case No. 1:19-cv-0103-LEK-DJS

TARA MULLER,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., E.I. DUPONT
NEMOURS AND COMPANY and 3M CO.,

Defendants.

Case No. 1:19-cv-0106-LEK-DJS

FRANK PERRELLI,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., E.I. DUPONT
NEMOURS AND COMPANY and 3M CO.,

Defendants.

Case No. 1:19-cv-0239-LEK-DJS

JAY POKINES,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., E.I. DUPONT
NEMOURS AND COMPANY and 3M CO.,

Defendants.

Case No. 1:19-cv-0232-LEK-DJS

R.M. BACON, LLC and MICHAEL BACON,

Plaintiffs,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., E.I. DUPONT
NEMOURS AND COMPANY and 3M CO.,

Defendants.

Case No. 1:17-cv-0441-LEK-DJS

QUINN RASMUS,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., E.I. DUPONT
NEMOURS AND COMPANY and 3M CO.,

Defendants.

Case No. 1:19-cv-0238-LEK-DJS

KATHLEEN REECE,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., SAINT-GOBAIN CORPORATION,
HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., and 3M COMPANY,
E.I. DUPONT NEMOURS AND COMPANY, and
THE CHEMOURS COMPANY,

Defendants.

Case No. 1:19-cv-0219-LEK-DJS

BERNICE ROSENBERG and STANLEY
ROSENBERG,

Plaintiffs,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., E.I. DUPONT
NEMOURS AND COMPANY and 3M CO.,

Defendants.

Case No. 1:19-cv-0100-LEK-DJS

MANDA RUSSELL,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., E.I. DUPONT
NEMOURS AND COMPANY and 3M CO.,

Defendants.

Case No. 1:19-cv-0107-LEK-DJS

LISA SCHNEIDER,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., E.I. DUPONT
NEMOURS AND COMPANY and 3M CO.,

Defendants.

Case No. 1:19-cv-0083-LEK-DJS

RYAN SLOWEY,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., SAINT-GOBAIN CORPORATION,
HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., and 3M COMPANY,
E.I. DUPONT NEMOURS AND COMPANY, and
THE CHEMOURS COMPANY,

Defendants.

Case No. 1:19-cv-0216-LEK-DJS

JENNY STONE,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., E.I. DUPONT
NEMOURS AND COMPANY and 3M CO.,

Defendants.

Case No. 1:19-cv-0247-LEK-DJS

ANN SWEENER,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC., E.I. DUPONT NEMOURS
AND COMPANY and 3M CO.,

Defendants.

Case No. 1:17-cv-0532-LEK-DJS

IAN WEBBER, in his capacity as the Executor of the
ESTATE OF SEAN WEBBER,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., SAINT-GOBAIN CORPORATION,
HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., and 3M COMPANY,
E.I. DUPONT NEMOURS AND COMPANY, and
THE CHEMOURS COMPANY,

Defendants.

Case No. 1:19-cv-0220-LEK-DJS

JUDITH WHITE,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., E.I. DUPONT
NEMOURS AND COMPANY and 3M CO.,

Defendants.

Case No. 1:19-cv-0104-LEK-DJS

BEVERLY and ROGER WHITE,

Plaintiffs,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC., E.I. DUPONT NEMOURS
AND COMPANY and 3M CO.,

Defendants.

Case No. 1:16-cv-0934-LEK-DJS

KENNETH WICKENDEN,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., E.I. DUPONT
NEMOURS AND COMPANY and 3M CO.,

Defendants.

Case No. 1:17-cv-1056-LEK-DJS

LORI WYMAN,

Plaintiff,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., SAINT-GOBAIN CORPORATION,
HONEYWELL INTERNATIONAL INC. f/k/a
ALLIED-SIGNAL INC. and/or ALLIED SIGNAL
LAMINATE SYSTEMS, INC., and 3M COMPANY,
E.I. DUPONT NEMOURS AND COMPANY, and
THE CHEMOURS COMPANY,

Defendants.

Case No. 1:19-cv-0215-LEK-DJS

STIPULATION AND ORDER

WHEREAS Defendant Saint-Gobain Performance Plastics Corp. (“Saint-Gobain”) has filed one or more answers and affirmative defenses in each of the above-captioned actions (the “Actions”);

WHEREAS Saint-Gobain pleaded the following affirmative defense in each of the Actions:

Saint-Gobain denies any negligence, culpable conduct or liability on its part but, if Saint-Gobain ultimately is found liable for any portion of Plaintiff’s alleged damages, Saint-Gobain shall only be liable for its equitable share of Plaintiff’s alleged damages;

WHEREAS Saint-Gobain seeks to amend and clarify its affirmative defenses in an efficient and uniform manner;

WHEREAS, the Parties, by and through their undersigned counsel, consent to Saint-Gobain amending its pleadings as provided herein;

NOW THEREFORE, it is hereby STIPULATED AND AGREED that the operative answers of Saint-Gobain in each of the Actions shall be deemed to be amended and to set forth affirmative defenses as follows:

Saint-Gobain denies any negligence, culpable conduct or liability on its part but, if Saint-Gobain ultimately is found liable for any portion of Plaintiff’s alleged

damages, Saint-Gobain shall only be liable for its equitable share of each Plaintiff's alleged damages, pursuant to Article 16 of the New York Civil Practice Law and Rules.

and

Pursuant to Section 15-108 of the New York General Obligations Law and applicable case law, insofar as any Plaintiff has given an individual or entity other than Saint-Gobain a release from, covenant not to sue for, or covenant not to enforce a judgment of liability for a purported injury that Saint-Gobain is ultimately found liable therefor, that Plaintiff's claim must be reduced (1) to the extent of the amount stipulated by the release or covenant, (2) in the amount of the consideration paid for the release or covenant, or (3) in the amount of the released individual's or entity's equitable share of the damages under Article 14 of the New York Civil Practice Law and Rules, whichever is greatest.

In each of the above-listed affirmative defenses, the reference to "Plaintiff" and "Plaintiffs" shall refer to "Plaintiffs" and "Plaintiffs'" in those Actions that assert claims by multiple Plaintiffs and, in applicable cases, shall be inclusive of decedent estates.

All of the above is **SO ORDERED**.

Dated: December 14, 2023
Albany, New York



Daniel J. Stewart
U.S. Magistrate Judge

Dated: May 18, 2023

Respectfully submitted,

/s/ Stephen G. Schwarz

Stephen G. Schwarz
Hadley E. Lundback
FARACI LANGE, LLP
1882 South Winton Road
Suite 1
Rochester, NY 14618
Tel: (518) 325-5150
sschwarz@faraci.com
hadley@faraci.com

/s/ James L. Bilsborrow

James L. Bilsborrow
WEITZ & LUXENBERG, P.C.
700 Broadway
New York, NY 10003
Tel: (212) 558-5500
jbilsborrow@weitz.com

/s/ David A. Engel

David A. Engel
GILCHRIST TINGLEY P.C.
251 River Street #201
Troy, New York 12180
Tel: (518) 238-3759
dengel@gilchristtingley.com

/s/ Patrick J. Lanciotti

Patrick J. Lanciotti
NAPOLI SHKOLNIK PLLC
360 Lexington Avenue, 11th Floor
New York, New York 10017
Tel: (212) 397-1000
planciotti@napolilaw.com

/s/ Terrence McCartney

Terrence McCartney
Austin T. Osborn
MCCARTNEY STUCKY LLC
350 Theodore Fremd Avenue, Ste. 140

Rye, New York 10580
Tel: (914) 305-5555
tmccartney@mc-stlaw.com
aosborn@mc-stlaw.com

Attorneys for Plaintiffs

/s/ Paul A. LaFata

Sheila L. Birnbaum
Mark S. Cheffo
Douglas E. Fleming, III
Paul A. LaFata
DECHERT LLP
Three Bryant Park
1095 Avenue of the Americas
New York, New York 10036
Tel: (212) 698-3500
sheila.birnbaum@dechert.com
mark.cheffo@dechert.com
douglas.fleming@dechert.com
paul.lafata@dechert.com

Christopher Fenlon
HINCKLEY ALLEN
30 S. Pearl Street, Suite 901
Albany, NY 12207
Tel: (518) 396-3100
cfenlon@hinckleyallen.com

*Attorneys for Defendant Saint-Gobain Performance
Plastics Corporation*

/s/ Jennifer Kwapisz

Elissa Preheim (*pro hac vice*)
ARNOLD & PORTER KAYE SCHOLER LLP
601 Massachusetts Avenue, NW
Washington, DC 20001
Tel: (202) 942-5503
elissa.preheim@arnoldporter.com

Jennifer Kwapisz
ARNOLD & PORTER KAYE SCHOLER LLP
250 West 55th Street
New York, NY 10019

Tel: (212) 836-8000
jennifer.kwapisz@arnoldporter.com

Attorneys for Defendant Honeywell International Inc.

/s/ Clinton T. Speegle

John M. Johnson

Lana A. Olson

Jeffrey P. Doss

Clinton T. Speegle

Meghan S. Cole

LIGHTFOOT, FRANKLIN & WHITE LLC

The Clark Building

400 20th Street North

Birmingham, AL 35203

Tel: (205) 581-0700

jjohnson@lightfootlaw.com

lolson@lightfootlaw.com

jdoss@lightfootlaw.com

cspeegle@lightfootlaw.com

mcole@lightfootlaw.com

Benjamin W. Hill

CAPEZZA HILL, LLP

30 South Pearl Street, Suite P-110

Albany, NY 12207

Tel: (518) 478-6065

ben@capezzahill.com

Attorneys for Defendant E.I. Du Pont De Nemours and Company

/s/ Andrew J. Calica

Andrew J. Calica

Whitney Suflas

MAYER BROWN LLP

1221 Avenue of the Americas

New York, NY 10020

Tel: (212) 506-2500

acalica@mayerbrown.com

wsuflas@mayerbrown.com

Attorneys for Defendant 3M Company